



SPOTLIGHT  
APPROPRIATIONS

## Contentious policy fights left out of funding deal

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Top House appropriators during a Rules Committee hearing last night on compromise spending legislation. At the table are (left to right) Reps. Ken Calvert (R-Calif.), ranking member of the Defense Subcommittee; Marcy Kaptur (D-Ohio), chairwoman of the Energy and Water Development Subcommittee; Nita Lowey (D-N.Y.), the full committee's chairwoman; Hal Rogers (R-Ky.), chairman of the State and Foreign Operations Subcommittee; Kay Granger (R-Texas), ranking member of the full committee; and Mike Simpson (R-Idaho), ranking member of the Energy and Water Development panel. Francis Chung/E&E News

Energy and environmental agencies, as well as numerous programs across the federal government, will see their funding bumped up, while controversial policy fights were largely sidestepped in a year-end spending deal announced yesterday.

After weeks of negotiations, Congress unveiled the \$1.4 trillion package that will raise discretionary spending by \$49 billion for the rest of fiscal 2020.

It's expected to pass the House today and then clear the Senate later this week - in advance of a midnight Friday deadline when current spending lapses.

The legislation will move in two separate minibus packages. The House Rules Committee approved them last night for floor action with the possibility that they could still be amended to contain energy tax extension provisions.

The [domestic and international assistance minibus](#) will contain the Labor-Health and Human Services-Education, Agriculture, Energy-Water, Interior-Environment, Legislative Branch, Military Construction-Veterans Affairs, State-Foreign Operations, and Transportation-Housing and Urban Development bills.

A second [national security minibus](#) will carry the Defense, Commerce-Justice-Science, Financial Services and General Government, and Homeland Security bills.

### **Funding compromises**

A divided Capitol Hill mainly targeted spending increases for programs with bipartisan support such as environmental grants, clean energy research and conservation. Lawmakers split the difference over a partisan border funding fight.

The Interior-EPA bill would provide \$13.86 billion for fiscal 2020, which is more than \$500 million over current spending. The increases target popular programs such as EPA Great Lakes, Chesapeake Bay and Long Island Sound conservation grants, as well as more funding for its per- and polyfluoroalkyl substances (PFAS) and Superfund cleanup work.

Interior saw boosts for the National Park Service and the highest funding for the Land and Water Conservation Fund in more than 15 years.

The Energy-Water bill would receive \$48.3 billion for fiscal 2020, a \$3.7 billion increase over current spending. Lawmakers targeted increases for the politically popular Army Corps of Engineers water projects as well as clean energy and renewable energy research programs at the Energy Department.

Agencies getting large bipartisan boosts included the National Institutes of Health and Centers for Disease Control and Prevention, both of which carry out environmental health research efforts.

And climate research and related computer modeling at NOAA saw a funding increase, despite opposition from the White House to most climate spending.

A fight over funding for a U.S.-Mexico border wall that sparked a more than monthlong government shutdown earlier this year and hamstrung budget talks for months was resolved with both sides claiming a win.

Republicans and the White House say they prevailed by getting \$1.4 billion for border wall funding and no restrictions on moving more dollars for the wall from military construction accounts.

But Democrats, who for months claimed they would provide no wall funding, say the bill provides far less than the \$8.6 billion proposed by the White House and noted they won't replenish military accounts that Trump takes money from for the barrier.

The Sierra Club, which has long opposed the wall over its potential environmental impacts, called the move to provide any money "deeply disappointing."

Environmentalists got a more modest provision in the bill by maintaining a restriction on building the wall in several protected areas along the Rio Grande Valley in Texas, including a butterfly sanctuary.

### **PFAS regulations fallout**

Lawmakers mostly kept to a deal to avoid adding new, hot-button policy riders, while leaving many environmental add-ons from recent years intact.

Efforts to regulate PFAS as part of the spending package fell apart over the weekend, with the two parties divided on specifics.

Senate Democrats and top Republicans offered to include in the spending package language from the Senate-passed defense authorization bill, which would have set a deadline for EPA to set drinking water standards for two members of the PFAS family, PFOA and PFOS, according to lawmakers and aides.

But House Energy and Commerce Committee Democrats pushed for a provision to ensure that any drinking water standard would be no less stringent than EPA's current lifetime health advisory of 70 parts per trillion (ppt).

Democratic committee aides said the provision would have prevented EPA from "backsliding" on its advisory, which is already less aggressive than the standards in some states affected by PFAS contamination. Republicans on the panel countered with an offer that would have required a cost-benefit analysis.

Democrats feared the analysis could have overruled the existing 70 ppt standard. GOP aides, on the other hand, pinned the blame on Democrats for refusing to budge on their position.

The bill did include \$172 million in additional funding for PFAS cleanup efforts and studies at military bases, an issue that cuts across party lines.

### **Rider ins and outs**

Lawmakers retained most environmental riders from previous spending bills, a priority for Senate Republicans that House Democrats fought.

They include:

- " Preserving restrictions on listing the sage grouse as an endangered species.
- " Prohibiting new greenhouse gas emission restrictions for livestock.
- " Allowing federal agencies to count biomass as carbon neutral.
- " Blocking any federal regulation of lead ammunition and tackle.

Democrats failed to block a proposed rollback of mercury emissions standards by the Trump administration or win a ban on drilling in the Arctic National Wildlife Refuge.

They did, however, achieve more modest victories with provisions seeking additional disclosures on offshore drilling safety waivers and banning expanding exemptions of the Clean Water Act for agriculture.

An effort by Democrats to force the United States to rejoin the Paris climate accord was stripped too. However, a perennial GOP rider in recent years blocking dollars for the United Nations' Green Climate Fund was not attached.

House Speaker Nancy Pelosi (D-Calif.) prevailed in a dispute with Minority Leader Kevin McCarthy (R-Calif.) by denying funding for raising the Shasta Dam in Northern California by 18.5 feet, a move opposed by environmental groups.

McCarthy had sought the dam funds in a trade-off for a \$10 million loan for rehabilitating the Presidio national park site in Pelosi's district, which nonetheless stayed in the bill.

The legislation contains a seven-year reauthorization of the U.S. Export-Import Bank, the credit financing agency that has operated under a series of temporary extensions in recent years amid conservative opposition.

Business groups, including the nuclear industry that relies on Ex-Im Bank financing for overseas projects, welcomed the move. But green groups, such as Friends of the Earth, say it did not go far enough in blocking funding for overseas fossil fuel projects that increase carbon emissions.

Federal employees would receive a 3.1% pay raise, the largest in a decade, that was widely praised by public employee unions.

Congress, meanwhile, continued its decadelong ban on increasing pay for lawmakers, an issue seen as politically toxic with voters.

*Reporters Geof Koss, Kellie Lunney, Nick Sobczyk and Kelsey Brugger contributed.*

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